

PATENT
Attorney Docket No. 10287.62
Customer No.: 000027683

IV. REMARKS/ARGUMENTS

A. Status of the Application

Claims 5-6 and 15-16 are pending. Claims 5-6 have been amended herein. Claims 1-4 and 7-14 have been cancelled without prejudice or disclaimer. Claims 2 and 3 have been cancelled in favor of new claims 15 and 16, which include the subject matter of claims 2 and 3 in independent form, respectively. No new matter has been added.

Applicant respectfully requests consideration of the foregoing amendments and the following remarks, and in view of same, further requests the allowance of all pending claims as presented herein.

B. Claim Rejections

1. Rejection of Claims 3-14 under 35 U.S.C. § 112

Claims 3-14 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Insofar as it may be applied against the present claims, this rejection is respectfully traversed.

Claims 3-4 and 7-14 have been cancelled. Claims 5-6 have been amended to overcome the rejection under 35 U.S.C. § 112, second paragraph, for indefiniteness. As noted above, claim 3 has been cancelled in favor of new claim 16 and it is respectfully submitted that new claim 16 is in accordance with all paragraphs of 35 U.S.C. § 112. Accordingly, it is respectfully requested that the rejection of claims 3-14 under 35 U.S.C. § 112, second paragraph be withdrawn.

2. Rejection of Claims 1, 4, 7, 10, 11 and 14 under 35 U.S.C. § 103(a)

Claims 1, 4, 7, 10, 11 and 14 stand rejected under 35 U.S.C. § 103(a) over International Patent Application Publication No. WO 98/31840 to Forest et al. ("Forest '840"). Insofar as it may be applied against the present claims, this rejection is respectfully traversed.

As noted above, claims 1, 4, 7, 10, 11 and 14 have been cancelled without prejudice or disclaimer. Accordingly, the above-noted rejection of claims 1, 4, 7, 10, 11 and 14 is moot and it is requested that it be withdrawn.

C. Allowable Subject Matter

Applicant appreciates the indication of the allowability of the subject matter of claim 2. As suggested in the Office action dated June 6, 2005, claim 2 has been rewritten in independent

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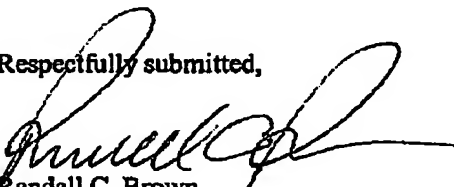
form including all of the limitations of the base claim and any intervening claim and now appears as claim 15. An indication of the allowance of claim 15 is respectfully requested.

Applicant also appreciates the indication of the allowability of claims 3, 5 and 6. As noted in the Office action dated June 6, 2005, claims 3, 5 and 6 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112 and to include all of the limitations of the base claim and any intervening claims. Claim 3 has been rewritten in independent form including all of the limitations of the base claim and any intervening claim and now appears as claim 16. Claims 5 and 6 as well as new claim 16 overcome the rejections under 35 U.S.C. §112. Accordingly, an indication of the allowance of claims 5, 6 and 16 is respectfully requested.

D. Conclusion

Claims 5-6 and 15-16 are now pending in the present application. In view of the foregoing amendments and remarks, reconsideration and allowance of all pending claims is respectfully requested. The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,


Randall C. Brown
Registration No. 31,213

Dated: 9/6/05
HAYNES AND BOONE, LLP
901 Main Street, Ste. 3100
Dallas, Texas 75202-3789
Telephone: 214-651-5242
Facsimile: 214-200-0802
File: 10287.62

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